



United States Government

**NATIONAL LABOR RELATIONS BOARD**  
**1099 14<sup>th</sup> STREET NW**  
**WASHINGTON DC 20570**

October 1, 2010

Re: House of Raeford  
Farms, Inc.  
Case 11-RC-6740

James W. Wimberly, Jr., Esq.  
Martin H. Steckel, Esq.  
James L. Hughes, Esq.  
Wimberly, Lawson, Steckel, Schneider  
& Stine, P.C.  
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Dear Counsels:

This is in response to the Employer's Motion to Supplement and Supplement to Employer's Request for Review of Regional Director's Decision and Direction of Election, which you e-filed on September 28, 2010.

Following the Regional Director's September 10, 2010 Decision and Direction of Election in this matter, requests for review were due on September 24, 2010. On behalf of the Employer, you filed a Request for Review on September 24. In your September 28 supplement you indicate that you desire to further "clarify" the Employer's position, "to provide additional authority for its position, and to correct an oversight in not including the information in its Request for Review." I note that the supplement cites and discusses the application of five cases not previously mentioned or discussed in your September 24 Request for Review.

Section 102.67(b) of the Board's Rules and Regulations requires that any request for review be filed within 14 days of service of the Regional Director's decision. Except as noted below, there is no provision in the Rules that allow further supplemental argument after the due date for the filing of the request for review. Further, the desire to clarify, provide additional authority, and correct an oversight does not appear to be compelling reasons that warrant a supplemental filing after the due date. Moreover, it is noted that a response to the Employer's Request for Review is due on October 1, 7 days after the due date for the Request for Review, and allowing the

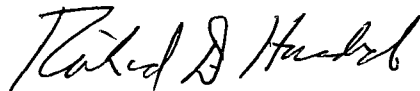
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supplement would require a response within only 3 days from its filing, rather than the 7 days provided in the Rules. Based on the foregoing, your September 28 supplement will not be forwarded to the Board for consideration.

In *Reliant Energy aka Etiwanda, LLC*, 339 NLRB 66 (2003), the Board decided to permit parties in representation cases to call to the Board's attention pertinent and significant authorities that come to a party's attention after the party's brief has been filed. This is accomplished by letter addressed to the Board with service on the parties and the Regional Director, setting forth the case citations and reasons for them with reference to the pages, paragraphs, and lines of the brief to which the citations apply. The body of the letter may not exceed 350 words (approximately 1½ pages). The other parties may file a similarly limited response within 7 days after service of the letter. Finally, you should be aware that the Board will not await such a submission before it decides the request for review. Accordingly, you should not delay if you desire to file such a submission under *Reliant Energy*.

Very truly yours,



Richard D. Hardick  
Associate Executive Secretary

cc: parties  
Regional Director, Region 11